



Townsend Council Meeting Minutes
January 6, 2021 @ 7:00 pm
VIA CONFERENCE CALL

Per the Governor's request, all scheduled meetings will be held via electronic means. Residents will be able to view documents posted to the meeting tab on the Town website at www.townsend.delaware.gov or by joining the meeting via computer.

Those wishing to attend may dial 1(301)715-8592. When directed, provide following meeting ID 82764217575# and then the following password 361631# to enter the meeting.

If you choose to access the meeting online Join the online meeting:

<https://us02web.zoom.us/j/82764217575?pwd=aHI4RDhTZ0xiME1HV0ZOcHRxSHZ3QT09>

I. **Call to Order:** The meeting was called to order at 7:00 p.m. by Mayor Thomas McDonald.

II. **Opening Ceremonies**

A. *Roll Call:*

The following Council and Staff were present with electronic access available for guests: Mayor T. McDonald, Councilman P. Miller, Councilman S. Lobdell, Councilman E. Dugan, Councilman J. Mertz, Town Manager A. Mangeri, Town Clerk A. Tantillo, Financial Officer J. Helms, Town Attorney F. Townsend, Town Engineer E. Van-Otoo, and Lt. Lloyd, DSP.

B. *Pledge of Allegiance:* Skipped for Electronic Meeting

C. *Recognition of Visitors:* Present guests were New Castle County Councilman David Carter, Eschalla Clarke, Kelly Lesniczak, Olivia Pham, and Alfred Hinton.

D. *Announcements:* None

III. **Additions and Deletions to published Agenda:** None

IV. **Approval of Minutes**

Approval/ Rejection of Council Minutes from the December 23, 2020 Town Council Workshop Meeting. *CM Dugan motioned for the approval of the minutes as presented, CM Miller seconded the motion. (Vote: Dugan- Yea, Lobdell- Yea, Mertz- Yea, Miller- Yea)*

V. **Mayor's Report**

1. No report.

VI. **Reports**

A. State Police:

1. Lt. Lloyd shared that there were 39 total responses in the Town of Townsend in the month of December. This included one identity theft, two domestic disturbances, two minor assaults, one drug possession on a traffic stop, two noise violations on New Year's, 25 non-criminal, non-reportable incidents, five property damage crashes, and one personal injury crash at the traffic light.
2. There were approximately 74 traffic citations given in and around Townsend.

B. Town Attorney Fred Townsend III:

1. TA Townsend held a discussion with Council during the Executive Session.

C. Town Engineer Edwin Van-Otoo:

1. TE Van-Otoo held a discussion on the closeout of Lifehouse Church
 - a. TE Van-Otoo shared that this project is coming to a close and the maintenance guarantee is in place.
2. A Discussion on the status of Close Out Projects, including Townsend Village I and Townsend Village II
 - a. TE Van-Otoo shared that TVI is still missing documentation, including working on the Stormwater as built and the maintenance guarantee
 - b. TE Van-Otoo shared that TVII is also missing documentation, including a revised legal description.
 - c. TE Van-Otoo spoke to the developer about these missing items.
3. A discussion on The Woods at Hidden Creek
 - a. TE Van-Otoo shared that this project started minor construction on the site by putting in the ENS Controls on the site. TE Van-Otoo will get in touch with the developer for pre-construction videos prior to the bulk of the work starting.
4. TM Mangeri requested an update on the awarded contract for the Tennis & Pickleball Court Project
 - a. TE Van-Otoo has been in contact with Gessler Construction. They want to begin construction in mid- March. A pre-construction meeting will be held in February, to be coordinated with the Town Manager. The contract is for 60 days. TM Mangeri requested an extension on the grants and will follow up after the holidays, with the goal to complete the project by the end of June.

D. Town Manager Anthony S. Mangeri:

1. Status update on the COVID-19 pandemic and CARES Act Funding.
 - a. TM Mangeri reinstated that the pavilion area, playground, and basketball and skate park equipment remains closed. He shared that the Town is contemplating youth athletics in the park for the summer, with the hopes of things getting better, with applicants still signing the same agreement to follow COVID requirements.
 - b. The average positivity rate of individuals in the Townsend Zip Code is 27.1% of those individuals that are being tested. The positive cases in our zip code is 823, which is a huge jump. Since Christmas, there were 109 new cases, since January 1st, there were 61 new case in our zip code, with the average of 9.4 or 10 cases per day. It is at a peak concern at this point. Town staff is attending the Governors briefings and the Governor's focus is to work to re-open schools and to take a regulatory look at bars, restaurants, and other facilities. They do not see a rapid decline coming anytime soon and are concerned about a rapid rise.

- c. The Town is also looking at the CARES Act funding, as it was extended. TM Mangeri and FO Helms are looking into the actual losses; year over year; now that we are into three quarters of the year; to determine the financial impact to the Town TM Mangeri will continue to keep Council briefed of any additional funds. The County has not yet responded on a few pre-approvals. County Councilman Carter shared that County Attorney staff has reviewed what costs can be approved and covered. His understanding is that if items were budgeted even though they were lost, the county cannot reimburse. The focus is on expenses that were driven by COVID. TM Mangeri is attempting to get clarification on whether or not lost revenue from reduced Police tickets issued or lost revenue from the Pavilion being closed could be recoupable.
 - d. Another conversation the Town is having with the County, is regarding the local services agreement, as the County is arguing that the formulation cannot use the impact fees for the Fire House as a credit against what we spend. TM Mangeri believes that it should not matter how the revenue is generated, as long as it goes out through the budget, as per the County ordinance. There is also a major shift based on state regulation for 2022. TM Mangeri has a meeting scheduled with the County for 1/7/2021 to discuss. Councilman Carter noted that the County was sued by Middletown and Newark and the County chose to settle and went into binding arbitration, which allowed NCC to use the model of Prince George's County, which does not allow capitol taxes collected for impact fees for capitol. Discussion was held on impact fees and New Castle County agreements. TA Townsend expanded that he would look into this.
2. Status update on the development of a report on reestablishing a municipal police department.
- a. Councilman Mertz requested TM Mangeri report out on the concept of reestablishing a municipal police department. TM Mangeri is in the process of interviewing other Police Chiefs and collecting data on criteria necessary at minimum to start to build a benefit/ cost analysis or activity-based budget to determine what would be needed to begin the process. Councilman Carter also scheduled time for TM Mangeri to talk with the County Colonial to review jurisdictional boundaries and issues. TM Mangeri is looking at a variety of alternatives, not looking to just start a Municipal Police Department, but the entire issue of what is the most cost efficient and most beneficial way to provide public safety to the community. The Town currently uses state Police to do this and there is a point where the Town looks at Cost Benefit and Return on Public Safety services for the community.
 - b. TM Mangeri also shared that a consultant has become available and he is going to explore whether or not the Town can hire a consultant to assist with the process that has a background. TM Mangeri will bring this back to Council if it is a possibility. TM Mangeri will continue to work with Mayor McDonald as the Finance Chair and with CM Miller and CM Mertz as the Public Safety Chairs.

- c. TA Townsend shared that he has had experience with a consultant and believes there are benefits of hiring a consultant to aid in this decision.

VII. Committee Reports

A. Finance: Chair Mayor Thomas McDonald - Co-Chair CM Edgar Dugan

a. A discussion of the Town Auditors report of Fiscal Year 2020.

- i. Mayor McDonald shared that the Town audits have been completed and TM Mangeri and FO Helms have created corrective actions for deficiencies and FO Helms will coordinate with the auditor to give Town Council a report at the February Town Council Meeting. TM Mangeri added that the audit found three minor issues, two which have already been corrected by this administration before the audit and the last one which was a minor issue, the Town administration is working on to ensure compliance. The Town is awaiting the auditors final report and the corrective action strategy to be presented.

B. Human Resources: Chair CM Patrick Miller

No report.

C. Public Works: Chair CM Edgar Dugan - Co-Chair CM Scott Lobdell

No report.

D. Land Use & Development: Chair CM Scott Lobdell - Co-Chair CM Edgar Dugan

a. Review, discussion, and possible vote on the 2020 Comprehensive Plan.

- i. CM Lobdell shared Council is awaiting the final Comprehensive Plan from the Planning Commission, which is due later this month. Once received by Council, Council will add it to the next Council Agenda. TA Townsend and Mayor McDonald shared that a Public Hearing will be needed to adopt the Comprehensive Plan and the Planning Commission will have a Public Hearing once the final version is approved by Town Council and approved by the State. Council will send to the State to be reviewed, then the Town will begin their Hearing Processes for final adoption. Additionally, the final adoption of the Comprehensive Plan will need to be in an ordinance. TM Mangeri shared a 15-day notice will be needed for the Hearing of the final Comprehensive Plan, since it has potential to change the Zoning Code. Council did not have any additional comments on the plan.

E. Veterans Committee: Chair CM Patrick Miller - Co-Chair CM Mertz

a. An update on the donation boxes collected for the local VFW collection.

- i. CM Miller provided an update on the VFW collection boxes for Soldiers who were deployed. The boxes were set out in November and were brought to the VFW on December 5th. Three boxes were laid out and they were pretty full. The VFW was very appreciative of the donation. TM Miller thanked Ms. Eschalla Clark who assisted with the collection. CM Miller plans to connect with Mr. Bill Smith of the VFW to coordinate the donations further in advance to have an even greater turnout than this year.

F. Public Safety: Chair CM Patrick Miller - Co-Chair – CM Mertz

CM Mertz shared that he will work with TM Mangeri and the Town to schedule the next Town Watch meeting, potentially for the last week in January.

G. Community Relations: Chair CM Scott Lobdell - Co-Chair CM Mertz

- a. A discussion of the Town Holiday Decoration contest and announcement of winners.
 - i. CM Lobdell shared that he and CM Mertz collected around 23 photos and videos of different houses around Town who participated in the Holiday Decoration contest. CM Lobdell circulated the pictures with Council who ranked their top 3 choices and tallied the points.
 - ii. The top three winners of the contest were:
 1. 1st Place: 611 Commerce Street
 2. 2nd Place: 752 Tracy Circle
 3. 3rd Place: 546 Ginn Street
 - iii. CM Lobdell shared gift baskets or gift cards were done in the past. They will continue with awarding gift cards.
 - iv. A discussion was held with Council and TC Tantillo on how to display the winners on the Town website. TM Mangeri and TC Tantillo will coordinate with CM Lobdell and CM Mertz to congratulate the winners.
 - v. CM Mertz thanked all of the participants for their great displays. CM Lobdell said that this is a great opportunity to encourage to stay local.
- b. CM Mertz requested information about the Townsend Neighborhood Social and Services Group.
 - i. TM Mangeri shared that a Town Resident approached TM Mangeri to begin a Neighborhood Social and Services Group, which, from a peer-to-peer perspective will assist individuals in the community who may be having a difficult time and could provide a minor form of assistance. For example, around 20 chickens were donated to the Town and the Town ensured coordination with the Neighborhood Social and Services Group to coordinate to ensure a few residents were able to have a holiday dinner courtesy of the donations. TM Mangeri and TC Tantillo are also beginning to track food banks and other assistance programs to begin more peer-to-peer support. The Neighborhood Social and Services Group is also looking for donations for items like supermarket gift cards or other issues. This type of work is something TM Mangeri and Mayor McDonald and CM Dugan have talked about in the past, so TM Mangeri is excited a peer group is willing to begin this work for the Town to support.
 - ii. The Town has posted a questionnaire online so individuals can provide us their information. This information is confidential, and, in the questionnaire, we ask for information and advise that this will be kept confidential. The Town has not yet had responses to the questionnaire, but it is available online. Some staff has even donated personal funds to ensure the group has resources to get started.

- iii. Council and TM Mangeri shared their excitement for this group and wants to ensure the Town supports peer-to-peer activity.

H. Parks & Recreation: Chair CM Scott Lobdell - Co-Chair CM Patrick Miller

No report

I. National Wildlife Federation Liaison: CM Mertz

No report

VIII. Citizens Comments & Participation

1. Ms. Eschalla Clark shared that she enjoyed working with the Veterans Committee and looks forward to working with the Veterans Committee again.
2. Ms. Lesniczak asked for clarification on the Townsend Neighborhood Social and Services Group. TC Tantillo clarified the name of the group and encouraged anyone who would like to participate or needs any assistance to contact TM Mangeri or TC Tantillo.
3. NCC Councilman David Carter shared that the County purchased the new Hope Center. CM Carter will share the contact information for this and encouraged the Town to refer anyone who is needing services. The center is providing full services for anyone who needs it including transportation vouchers and other services. This will help the county in dealing with the homeless problems it faces.
4. CM Carter is excited to hear of the Townsend Neighborhood Social and Services Group. He started pulling together services and nonprofits who will again be meeting, beginning in February. They have been struggling with Townsend because there were not many social services around. CM Carter encourages the group to contact Rachel Zara to consider applying for one of his Council Grants. This service is needed in Townsend. As Councilman Carter is not going into the Office, he moved his Office Budget into his Grant Budget to add an additional \$10,000. The grant is available up to \$2,500 and he encourages the group to speak to Rachel Zara from his office about their needs, goals, etc.
5. TC Carter will be calling the County Executive to discuss the budget for the year and will be asking for some items which will affect Townsend. One item is that in the past, there was a lot of youth programming in the Middletown Area, with the Town of Middletown, but the program was discontinued. CM Carter would like to reinstate these programs and would like to discuss whether or not summer youth programs would be good for Townsend, with a gradual start and possibly a three-year ramp up, eventually to be anchored out of the new county library and park. CM Carter will also ask for appropriations for a passive recreational trail system through Wiggins Mill, with improved parking, etc. CM Carter and TE Van-Otoo discussed current trail opportunities and funding. CM Carter is also pressing for a South of the Canal County Policing Study completed. This will plug in and assist with coordination of the Townsend Police Study. CM Carter is concerned with the limitations of the current police services in the area. CM Carter will keep Town Council updated on this process.
6. TM Mangeri brought up abandoned county properties with outstanding debt to CM Carter to encourage coordination with CM Carter's office to see if the properties could be flipped or converted to see if the properties could be developed. CM Carter and TM Mangeri will coordinate on these properties. They could potentially look at

coordination with Habitat for Humanity and pass-through grants. CM Carter requested TM Mangeri and TC Tantillo coordinate with Rachel Zara to schedule a meeting about this.

7. Mr. Hinton asked for clarification from CM Carter about the potential Police Headquarters South of the Canal. CM Carter discussed support happening above the canal and described an MOU from the County with Middletown, in which the County Social Worker, Mental Health Staff, and Nurse will assist Middletown, if the need is present. There is an expectant 11,000 additional homes to be built in the unincorporated area and in order to get where they would like to with community policing, etc. additional officers are needed.

IX. Recess Council Meeting to Convene Executive Session

1. *CM Miller made a motion to move to Executive Session as stated by the Town Attorney, CM Lobdell seconded the motion. (Vote: Dugan- yea, Lobdell- yea, Mertz, yea, Miller- yea).*
2. Mayor and Council closed the regular Town meeting to convene the Executive session at 8:00 pm.
3. TA Townsend read the reasoning for the Executive Session “In accordance with 29 Del. C. §10004 (B)(4) the Town Council met in executive session strategy session relating to potential litigation with Town Attorney Townsend. “

X. Convene Executive Session: In accordance with 29 Del. C. §10004 (B)(4) the Town Council met in executive session strategy session relating to potential litigation with Town Attorney Townsend.

XI. Close Executive Session & Re-convene Council Meeting

1. Council closed Executive session and re-convened the Town Council meeting at 9:21 pm
2. *CM Dugan made a motion to reconvene the regular Town Council Meeting. CM Mertz seconded the motion (Vote: Dugan-yea, Lobdell-yea, Mertz-yea, Miller-yea)*

XII. Adjournment

Mayor and Council adjourned the meeting 8:22 pm.